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OFFICE OF PETITIONS PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants:	Temming, et al.	Examiner:	Deuble, Mark A.
Application No.:	10/571,665	Group Art Unit:	3651
Patent No.	7,428,961		
Confirmation No:	9735	Docket:	903-183 PCT/US
Filed:	March 10, 2006	Dated:	April 2, 2009

For: CONVEYOR AND SORTING AND PACKAGING DEVICE  
WITH SUCH A CONVEYOR

Mail Stop Post Issuance  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

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electronic filing system

Dated: April 2, 2009

Signature John S. Sopko /John S. Sopko/

**NOTIFICATION OF CHANGE TO LARGE ENTITY STATUS  
PURSUANT TO 37 CFR § 1.27 (g)(2) AND CORRECTION OF ERROR IN  
CLAIMING SMALL ENTITY STATUS PURSUANT TO 37 CFR §1.28(c)**

Sir:

The above-referenced application was filed on March 10, 2006 claiming small entity status. At the time of filing the assertion of small entity status was accurate.

It has now been discovered that after the filing date of this application, the small entity status has changed. The continued, post-filing status as a small entity before the Office was in error, but was in good faith and was not with any attempt to deceive the Office.

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Application No.: 10/571,665  
Patent No. 7,428,961  
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Only after recent detailed and further review of 13 CFR § 121.802 and 37 CFR § 1.27 did the Assignee realize that they were a large entity. The Assignee became a large entity on May 16, 2006. Pursuant to 37 C.F.R. §1.27(g)(1) and 37 C.F.R. §1.28(c)(1), please accept this statement to correct the erroneously claimed small entity status and to make of record that the Assignee is a large entity for the above-referenced matter.

Submitted herewith is an itemized statement of the deficiencies owed for all payments made on or after May 16, 2006 for the above-referenced application, pursuant to 37 C.F.R. §1.28(c)(2), as follows:

<u>Fee Description</u>	<u>Current Fee Code</u>	<u>Date Paid</u>	<u>Fee Paid as Small Entity</u>	<u>Current Large Entity Fee</u>	<u>Difference Due</u>
<u>Prosecution Fees:</u>					
Extension of Time (one month)	1251/2251	Apr. 8, 2008	60.00	130.00	70.00
<u>Grant Fees:</u>					
Issue Fee	1501/2501	Aug. 20, 2008	720.00	1,510.00	790.00
Publication Fee	1505	Aug. 20, 2008	300.00	300.00	0.00
<b>Total Fees Paid:</b>			1,080.00		
<b>Total Fees Due as Large Entity:</b>				1,940.00	
<b>Total Fees Due Herewith:</b>					860.00

A fee of \$860.00 is believed to be due with this submission. The Commissioner is hereby authorized to charge payment the fees associated with this communication, or any additional fees which may be due or credit any overpayment, to Deposit Account No. 08-2461. Such authorization includes authorization to charge fees for extensions of time, if any, under 37 C.F.R.

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§ 1.17 and also should be treated as a constructive petition for an extension of time in this reply or any future reply pursuant to 37 C.F.R. § 1.136.

Attorney for the Applicant further specifically requests that all future maintenance fee statements be changed to reflect payment for as a large entity.

Please direct any questions regarding this submission to Applicant's undersigned attorney.

Respectfully submitted,

/John S. SOPKO, Reg. # 41,321/

John S. Sopko

Registration No. 41,321

Attorney for Applicants

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Syosset, New York 11791  
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Dated: April 2, 2009

Signature John S. Sopko /John S. Sopko/

**REQUEST TO CHARGE DEPOSIT ACCOUNT**

Sir:

Concurrently herewith Attorney for the Applicants is filing a request for rectification of filing status from small entity to large entity.

Attorney for the Applicants respectfully submits that payment of the deficiency owed was not directly evident with the fees options for EFS filing.

Accordingly, the Attorney for the Applicants is specifically filing this separate communication to ensure that the Office properly processes all fees due. A fee of \$860.00 is believed to be due with this submission. The Commissioner is hereby authorized to charge

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payment of \$860.00 or any additional fees which may be due or credit any overpayment, to  
Deposit Account No. 08-2461.

Please direct any questions regarding this submission to Applicant's undersigned  
attorney.

Respectfully submitted,

/John S. SOPKO, Reg. # 41,321/  
John S. Sopko  
Registration No. 41,321  
Attorney for Applicants

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